

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THOMAS BERNHARDI, JOAN BECKFORD,
PATRICK STOYCON and WILLIS WAKE, on behalf
of themselves and all other employees similarly situated,

Plaintiffs,

V.

LOWE'S COMPANIES, INC., LOWE'S HOME
CENTERS, INC., LOWE'S HIW, INC., THE
CONTRACTOR YARD, INC., and EAGLE
HARDWARE AND GARDEN DISTRIBUTION
SERVICES.

Defendants.

03 CV 6372 (MT) (JF)

ORDER TO STAY PROCEEDINGS

UPON CONSIDERATION of the parties' Joint Motion to Extend Stay of Proceedings, it is this ____ day of December 2006, hereby ORDERED that proceedings in this matter shall be stayed through April 1, 2007, so that the parties may finalize settlement of this matter.

It is hereby further ORDERED that, should formal settlement of this matter not occur, plaintiffs' response to defendants' motion for summary judgment shall be due 20 days following the expiration of the stay of proceedings granted pursuant to this order.

SO ORDERED:

S/MICHAEL A. TELESKA

Honorable Michael A. Telesca
United States District Court Judge

DATED: 12/7/06